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**REMARKS** 

The Applicants thank the Examiner for the thorough consideration given the present

application. Claim 3 is cancelled herein without prejudice to or disclaimer of the subject

matter set forth therein. Claim 6 was previously cancelled. Claims 1, 2, 4, and 5 are

pending. Independent claims 1 and 4 amended. The Examiner is respectfully requested to

reconsider the rejections in view of the amendments and remarks set forth herein.

Allowable Subject Matter / Objections to the Claims

The Examiner states that claims 3-5 would be allowable if rewritten to overcome the

objections and to include all of the limitations of the base claim and any intervening claims;

As indicated below, independent claim 1 has been amended to include the allowable

subject matter of objected-to claim 3 and to address the objection pointed out by the

Examiner. In addition, independent claim 4 has been amended to address the objection

pointed out by the Examiner.

Therefore, independent claims 1 and 4 are in condition for allowance.

Rejection Under 35 U.S.C. 103(a)

Claims 1 and 2 stand rejected under 35 U.S.C. 103(a) as being unpatentable over

Chintawongvanich, US 6,427,531 in view of {one of Stephens US 2002/0075183 and

Parker} and one of {Caballero, US 3,392,394 and Lorch Microwave}. This rejection is

respectfully traversed.

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Although not conceding the appropriateness of the Examiner's rejection, but merely

to advance the prosecution of the present application, objected-to claim 3 has been cancelled

and the subject matter has been added to independent claim 1. In view of the amendments to

independent claim 1, the Examiner's rejection based on 35 U.S.C. § 103(a) has been

obviated.

No Prosecution History Estoppel

Independent claim 4 has been amended to merely to address the objection. The

subject matter of claim 3 has been added to independent claim 1. No prosecution history

estoppel would apply to the interpretation of the limitations set forth in claims 1 and 4 and

the claims that depend therefrom in view of the fact that this subject matter has been

continuously presented since the original filing date of the present application.

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## <u>CONCLUSION</u>

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 208-4030 Direct Line.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

James M. Slattery Reg. No. 28,380

BIRCH, STEWART, KOLASCH & BIRCH, LLP

P. O. Box 747

Falls Church, VA 22040-0747

(703) 205-8000

IMS/CTT/tg